

**UNITED STATES BANKRUPTCY COURT**SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

In re: DAVID FONSECA

Case No.: 16-23135-CGM-13

Debtor(s)

**CHAPTER 13 STANDING TRUSTEE'S FINAL REPORT AND ACCOUNT**

KRISTA M. PREUSS, chapter 13 trustee, submits the following Final Report and Account of the administration of the estate pursuant to 11 U.S.C. Section 1302(b)(1). The trustee declares as follows:

- 1) The case was filed on 08/19/2016.
- 2) The plan was confirmed on 02/21/2019.
- 3) The plan was modified by order after confirmation pursuant to 11 U.S.C Section 1329 on NA.
- 4) The trustee filed action to remedy default by the debtor in performance under the plan on 11/17/2021, 10/06/2021.
- 5) The case was completed on 08/17/2021.
- 6) Number of months from filing or conversion to last payment: 60.
- 7) Number of months case was pending: 65.
- 8) Total value of assets abandoned by court order: NA.
- 9) Total value of assets exempted: 9,244.00.
- 10) Amount of unsecured claims discharged without full payment: 150,645.70.
- 11) All checks distributed by the trustee relating to this case have cleared the bank.

**Receipts:**

Total paid by or on behalf of the debtor:	\$30,000.00
Less amount refunded to debtor:	\$ .00

<b>NET RECEIPTS:</b>	<b>\$30,000.00</b>
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**Expenses of Administration:**

Attorney's Fees Paid Through The Plan:	\$ .00
Court Costs:	\$ .00
Trustee Expenses and Compensation:	\$2,451.50
Other:	\$ .00

<b>TOTAL EXPENSES OF ADMINISTRATION:</b>	<b>\$2,451.50</b>
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Attorney fees paid and disclosed by debtor:	\$3,000.00
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**Scheduled Creditors:**

<u>Creditor Name</u>	<u>Class</u>	<u>Claim Scheduled</u>	<u>Claim Asserted</u>	<u>Claim Allowed</u>	<u>Principal Paid</u>	<u>Interest Paid</u>
AMERICAN EXPRESS BANK FSB	Unsecured	15,919.00	8,317.45	8,317.45	591.03	.00
AMERICAN EXPRESS BUSINESS	Unsecured	NA	NA	NA	.00	.00
AMERICAN MUSIC SUPPLY	Unsecured	382.00	NA	NA	.00	.00
AT&T WIRELESS	Unsecured	35.00	NA	NA	.00	.00
BANK OF AMERICA, N.A.	Unsecured	26,134.00	26,134.67	26,134.67	1,857.07	.00
BAYVIEW LOAN SERVICING	Secured	335,495.00	332,982.09	332,982.09	.00	.00
CHASE	Unsecured	13,723.00	NA	NA	.00	.00
CHASE	Unsecured	25,919.00	NA	NA	.00	.00
CITY OF YONKERS	Unsecured	532.00	NA	NA	.00	.00
CONEDISON	Unsecured	300.00	NA	NA	.00	.00
DAIMLER TRUST	Secured	NA	2,142.40	2,142.40	.00	.00
DOMUS APPRAISALS	Unsecured	175.00	NA	NA	.00	.00
DR NICHOLAS G DONAS MD	Unsecured	170.00	NA	NA	.00	.00

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FIRSTMARK SERVICES	Unsecured	778.00	NA	NA	.00	.00
HSBC BANK USA NA	Secured	297,591.00	281,131.07	281,131.07	.00	.00
HSBC BANK USA, N.A.	Unsecured	13,528.00	11,786.53	11,786.53	837.55	.00
HSBC BANK USA, N.A.	Unsecured	1,880.00	1,442.01	1,442.01	102.92	.00
INTERNAL REVENUE SERVICE	Priority	NA	21,651.75	21,651.75	21,651.75	.00
INTERNAL REVENUE SERVICE	Unsecured	NA	1,034.80	1,034.80	73.48	.00
NEW YORK STATE DEPT. OF	Priority	NA	2,421.79	2,421.79	2,421.79	.00
NEW YORK STATE DEPT. OF	Unsecured	NA	81.20	81.20	5.79	.00
NEW YORK-PRESBYTERIAN/	Unsecured	350.00	NA	NA	.00	.00
OPTIMUM SYSTEM CORP	Unsecured	25.00	NA	NA	.00	.00
PHOENIX LIFE INSURANCE	Unsecured	59,125.00	NA	NA	.00	.00
ST JOHN'S RIVERSIDE HOSPITAL	Unsecured	326.00	100.00	100.00	7.12	.00
THE POWDERHORN AGENCY	Unsecured	330.00	NA	NA	.00	.00
THE VANGUARD GROUP	Unsecured	970.00	NA	NA	.00	.00
VELAZQUEZ LANDSCAPING LLC	Unsecured	260.00	NA	NA	.00	.00
WESTCHESTER MEDICAL CTR	Unsecured	450.00	NA	NA	.00	.00

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WILLIAMSBURG MAINTENANCE	Unsecured	1,700.00	NA	NA	.00	.00

**Summary of Disbursements to Creditors:****Secured Payments:**

	<u>Claim Allowed</u>	<u>Principal Paid</u>	<u>Interest Paid</u>
Mortgage Ongoing:	.00	.00	.00
Mortgage Arrearage:	.00	.00	.00
Debt Secured by Vehicle:	2,142.40	.00	.00
All Other Secured:	614,113.16	.00	.00
<b>TOTAL SECURED:</b>	<b>616,255.56</b>	<b>.00</b>	<b>.00</b>

**Priority Unsecured Payments:**

Domestic Support Arrearage:	.00	.00	.00
Domestic Support Ongoing:	.00	.00	.00
All Other Priority:	24,073.54	24,073.54	.00
<b>TOTAL PRIORITY:</b>	<b>24,073.54</b>	<b>24,073.54</b>	<b>.00</b>

**GENERAL UNSECURED PAYMENTS:**

48,896.66 3,474.96 .00

**Disbursements:**

Expenses of Administration:	\$2,451.50
Disbursements to Creditors:	\$27,548.50

**TOTAL DISBURSEMENTS:**

\$30,000.00

12) The trustee certifies that, pursuant to Federal Rule of Bankruptcy Procedure 5009, the estate has been fully administered, the foregoing summary is true and complete, and all administrative matters for which the trustee is responsible have been completed. The trustee requests a final decree be entered that discharges the trustee and grants such other relief as may be just and proper.

Date: 01/19/2022

By: /s/KRISTA M. PREUSS

Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. Section 1320.4(a)(2) applies.